

Serial No. 10:795,944
Supplemental Amendment dated August 15, 2005

REMARKS

This paper is filed in keeping with the telephonic interviews conducted on August 12, 2005.

I. Status of Amendments

Claims 14-26 were pending. By this amendment, applicants amend claims 14-16 and 21-25. Thus, claims 14-26 remain pending.

II. Interview Summary

On August 12, 2005, the undersigned conducted two telephonic interviews with the examiner in regard to this application. During both of the interviews, the undersigned and the examiner discussed amendments to the specification and the claims to overcome the rejections raised under 35 U.S.C. 112, first paragraph, and under 35 U.S.C. 403.

During the first interview, the examiner provided the undersigned with proposed amendments to the specification and the claims. The undersigned took the proposed amendments under advisement, and indicated that he would contact the examiner later in the day. During the second interview, later that same day, the undersigned indicated acceptance of certain of the proposed amendments, but suggested alternatives to others of the proposed amendments. At the examiner's suggestion, the undersigned prepared this paper to summarize the proposed amendments acceptable to applicants and the alternatives.

In particular, applicants accept the examiner's amendments to the paragraph beginning on page 3, line 8, of the specification, with one additional amendment required to correct the verb tense in the sentence that begins "the cellular units of the waste-activated sludge (WAS)." Applicants agree with the examiner that these amendments add no new matter. The applicants also accept the examiner's amendments to claims 14, 21, and 23 that would delete "biologically-active" from the preamble, add "including intercellular water, intracellular water and organic solids" after "cellular units" in the preamble, and substitute

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"system" for "station" and "apparatus" in the limitations "electroporation station" and "electroporation apparatus." These amendments are intended to bring the claims closer in line with the language of the specification.

On the other hand, while the examiner submitted that it would be necessary to amend the references to "matter" in the claims, the applicants were not in agreement with the proposed amendments in this regard. Instead, applicants have amended certain references to "matter" in the independent claims (claims 14, 21, and 23) to refer to the "intercellular water, intracellular water, and organic solids" recited in the preamble. In other places, applicants have replaced "matter" with "electroporated sludge," in keeping with the statement at page 5, line 4, of the written description that "[t]he PEF-treated sludge is then delivered to one or more bioreactors." Separately, in claim 23, which referred to "organic matter," applicants have amended the claim to read "organic solids" in pertinent part. Applicants then amended the remaining claims in keeping with these amendments

In view of the above amendment, applicant believes the pending application is in condition for allowance. If there is any matter that the Examiner would like to discuss, the Examiner is invited to contact the undersigned representative at the telephone number set forth below. In any event, the Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 13-2855, under Order No. 30991/40225. A duplicate copy of this paper is enclosed.

Dated: August 15, 2005

Respectfully submitted,

By 

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